UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/1996/NGO/26
27 March 1996

ENGLISH ONLY

COMMISSION ON HUMAN RIGHTS
Fifty-second session
Item 8 (c) of the provisional agenda

QUESTION OF THE HUMAN RIGHTS OF ALL PERSONS SUBJECTED TO ANY FORM OF DETENTION OR IMPRISONMENT, IN PARTICULAR: QUESTION OF ENFORCED OF INVOLUNTARY DISAPPEARANCES

Written statement submitted by Amnesty International, a non-governmental organization in consultative status (category II)

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[26 March 1996]

1. Amnesty International remains concerned that hundreds of people who have "disappeared" at the hands of the Moroccan security forces in Morocco and Western Sahara during the 1960s, 1970s, and 1980s remain unaccounted for.

2. The pattern of "disappearance" of known or suspected political opponents by the Moroccan authorities dates back to the 1960s. The phenomenon of "disappearance" and secret detention as it has been used in Morocco and Western Sahara has created an atmosphere of fear, punishing entire families for as long as the "disappearance" lasts - which in some cases is more than 30 years.

3. One of the oldest outstanding cases of "disappearance" in Morocco is that of Abdelhaq Rouissi, a trade unionist with the Union marocaine de travail (UMT), (Moroccan Labour Union), who "disappeared" from his home on 4 October 1964. He was seen in secret detention centres in Morocco in 1979, 1983 and 1989, but to date no information has been provided by the authorities on his whereabouts.

4. Hocine El-Manouzi, also a trade union activist with the UMT, "disappeared" during a trip to Tunis and there were allegations that he had been abducted by Moroccan security forces and taken back to Morocco. No information could be obtained on his whereabouts until July 1975, when his picture appeared on "wanted" posters displayed in police stations across Morocco and security forces raided the homes of members of his family. It then became known that he had indeed been held in secret detention since 1972 and that in July 1975 had escaped from secret detention with other "disappeared" detainees, including Ali, Midhat and Bayazid Bourekat, three Franco-Moroccan brothers. They were recaptured one week later and again held in secret detention. The three brothers who had escaped and were recaptured with him in 1975 were released in December 1991 from the secret detention centre of Tazmamert, but to date Hocine El-Manouzi remains "disappeared". Scores of other Moroccans "disappeared" after being arrested by the security forces, most of them in the 1970s.

5. "Disappearances" of Sahrawis began to occur after Morocco annexed Western Sahara at the end of 1975. Men and women, and in some cases entire families, including children, "disappeared" after being arrested by Moroccan security forces. Whilst in Morocco the practice of "disappearance" concerned a minority of those arrested and imprisoned for political reasons, in Western Sahara secret detention and "disappearance" were the norm, as virtually all those arrested for political reasons were excluded from the normal legal process. (The only known exception in the 1970s were a group of 26 people, mostly students, who were arrested between April and December 1977 and who were brought to trial in Marrakech in 1980). "Disappearances" of Sahrawis took place mainly between the end of 1975 and 1987, but most of them occurred at the end of 1975 and in 1976. The last large wave of "disappearances" known to Amnesty International took place in November 1987 at the time of the visit to Western Sahara of a United Nations technical mission.

6. Among the Sahrawis who remain "disappeared" is Ahmed Lamadal El-Bou, from Smara, who "disappeared" on 15 April 1976. According to other detainees who were released in 1979, he was among a group of 14 men who were detained with them in the period immediately after arrest and who were later moved to an unknown place of detention. Other Sahrawi "disappeared" include Mokhtar ould M'Barek ould Mohamed ould El-Alem Breira, a farmer from Hagounia who was arrested from his home in front of his family on 7 February 1976; and Tebker ment Sidi-Mohamed ould Khattari, a mother of five who was arrested in March 1985 as she was travelling from Dakhla to Laayoune with another woman, who also "disappeared" but was eventually released in June 1991. To date the families of these and hundreds of other "disappeared" have not been able to obtain any information on their whereabouts.

7. The first group of "disappeared" known to have been released after prolonged secret detention is a group of six Moroccans, five students and another man, who were released on 30 and 31 December 1984 from the secret detention centre of Qal'at M'Gouna after more than nine years of "disappearance". They had been held in secret detention with hundreds of Sahrawi "disappeared".

8. By 1990 there was ample evidence of the existence of secret detention centres such as Qal'at M'Gouna and Tazmamert and the case of the "disappeared"

reported to be held in these centres had been repeatedly raised with the Moroccan authorities, but they continued to deny any knowledge of such detention centres. In response to a question by the Human Rights Committee in November 1990 about the secret detention centres of Qal'at M'Gouna and Tazmamert, the Moroccan delegation replied that "These prisons are not on any list held in the prison administration division at the Ministry of the Interior".

9. In June 1991 more than 300 Sahrawi men and women who had been "disappeared" for up to 16 years were released from the secret detention centres of Qal'at M'Gouna and Laayoune. They included people who had "disappeared" between 1975 and 1987, and whose cases Amnesty International had repeatedly raised for years with the Moroccan authorities, the Working Group on Enforced or Involuntary Disappearances and in public reports.

10. At the end of 1991, some 30 Moroccans who had been held in secret detention for 18 years were released from the secret detention centre of Tazmamert.

11. During secret detention the "disappeared" were held in inhuman conditions. At least 48 Sahrawi "disappeared" died in the secret detention centres of Agdz, Qal'at M'Gouna and Laayoune, and more than 30 Moroccans died in the secret detention centre of Tazmamert. Since 1994, death certificates have been issued by the Moroccan authorities to the families of those who died in Tazmamert, but these do not state the causes and circumstances of death and the families have not been able to find out where their relatives have been buried. The deaths of scores of Sahrawis in secret detention have not even been officially recognized by the authorities and no information has been provided by the authorities to the victims' families. Their deaths, however, have been confirmed by the former "disappeared" who were released in 1991 and who witnessed their deaths.

12. Amnesty International welcomed the release of hundreds of "disappeared", but remains concerned that to date no investigations have been ordered or carried out into these "disappearances", and the Moroccan authorities have shown no sign that they intend to bring to justice those responsible for the "disappearance" and torture of hundreds of people and for the deaths of scores of others. Neither the former "disappeared" nor the families of those who died in secret detention have received any compensation. (Since 1994, those released from Tazmamert in 1991 have been receiving a monthly allowance, given as "humanitarian aid" or "pension". However, their repeated demands for compensation have been disregarded.) Most of the "disappeared" who were released in 1991 have suffered long-term physical and psychological damage, but they have been denied rehabilitation. Moreover, most of the former "disappeared" remain under strict surveillance and are not allowed to exercise their right to freedom of expression, association and movement. Many of them have been rearrested and again held in secret detention for up to several months.

13. Having released some whose detention they had denied for up to 18 years, the Moroccan authorities continue to deny all knowledge of hundreds of other "disappeared", most of them Sahrawis, who remain unaccounted for. Among those who deny the existence of the Sahrawi "disappeared" are former leading figures

of the Polisario Front who have left Polisario and are now working with the Government of Morocco. They maintain that the Sahrawi "disappeared" mentioned by Amnesty International and other organizations do not exist, and that these lists of "disappeared" Sahrawis were made up by the Polisario authorities for propaganda purposes. More than 300 of the "disappeared" whose existence they previously denied were released in 1991; today they continue to deny the existence of other "disappeared".

14. In years of research on the Moroccan and Sahrawi "disappeared", Amnesty International has gathered, cross-checked and verified information from various sources and testimonies from former detainees and "disappeared", and from hundreds of families of those who remain "disappeared". There are allegations that some of these Moroccan and Sahrawi "disappeared" were extrajudicially executed soon after arrest, and that others have died in secret detention. Whatever fate they have met after they were arrested, this must now be clarified and their families must be informed.

15. Amnesty International is calling once again on the Moroccan authorities to take urgent measures to clarify the fate of the remaining "disappeared"; investigate all "disappearances" and deaths in secret detention and bring to justice those responsible; and compensate the former "disappeared" and the families of those who died in secret detention.